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Progress report of the Secretary-General on Ethiopia and Eritrea

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1369 (2001) of 14 September 2001, which extended the mandate of the United Nations Mission in Ethiopia and Eritrea (UNMEE) until 15 March 2002. It provides an update on political, military, humanitarian and human rights developments, as well as on the deployment and activities of UNMEE since my report of 5 September 2001 (S/2001/843).

II. Status of the Temporary Security Zone and adjacent areas

2. During the reporting period, the situation in the Temporary Security Zone has remained generally calm. Eritrea disputes the southern boundary of the Zone and it therefore considers that the Temporary Security Zone is "not fully established". However, both parties have generally respected the Zone. There have been isolated instances of small units or patrols belonging to both parties crossing into the Zone, but these have not had a negative impact on its overall integrity. Despite the above, Eritrea's continued refusal to recognize the southern boundary of the Zone remains a source of concern.

3. During the period under review, UNMEE experienced increased restrictions on its freedom of movement in the adjacent area north of the Temporary Security Zone, further hindering the ability of the Mission to monitor the Eritrean Defence Forces in their redeployment positions. The Mission has, however, intensified and refined its monitoring activities in order to overcome these restrictions.

4. Compounding these problems, a series of allegations in the second half of November have contributed to an unfortunate escalation in tensions. On 14 November, Prime Minister Meles Zenawi of Ethiopia, in identical letters addressed to the President of the Security Council and to me, alleged that Eritrea was accelerating the "further militarization of the Temporary Security Zone" and referred to a "troop build-up by Eritrea along the border", claiming that "UNMEE might have adopted a policy of appeasement to secure Eritrea's compliance", and accusing the Mission of not demonstrating the required vigilance. At the same time, the Prime Minister stated that Ethiopia was reserving its "right of self-defence" in the face of what it perceived as a growing threat. Those allegations were repeated in statements made before the General Assembly, on 15 November, and the Security Council, on 16 November.

5. Reacting to the Ethiopian allegations, President Isaias Afwerki of Eritrea wrote a letter to me dated 20 November, asserting that Ethiopia's allegations were "groundless" and that its motive was to "derail or influence the delimitation process through bluffs and intimidation". Ethiopia also released a press statement on 26 November that reiterated the allegations of an Eritrean military build-up; claimed that UNMEE did not have the capacity to effectively monitor the situation in the Temporary Security Zone as a result of Eritrean restrictions on the Mission's movement; and suggested that UNMEE was understating the potential dangers created by Eritrean non-compliance with the Agreement on Cessation of Hostilities (S/2000/601).

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6. Immediately following the original allegations of 14 November, my Special Representative, Mr. Legwaila Joseph Legwaila, ordered an investigation along the entire northern boundary of the Temporary Security Zone, which proved these allegations to be unfounded. UNMEE will continue to take all allegations presented to it very seriously and to carry out immediate and thorough investigations, as well as intensified monitoring.

7. Prime Minister Meles Zenawi of Ethiopia wrote to me again on 30 November to express concern over Eritrea's non-implementation of key provisions of the Agreement on the Cessation of Hostilities in five major areas. The letter stressed Eritrea's continued violation of the Temporary Security Zone, asserting that Eritrean regular troops were present "under the guise of police and militia." The letter referred to Eritrea's refusal to grant UNMEE freedom of movement in the adjacent area north of the Zone in violation of article 13 of the Agreement. The letter also pointed to Eritrea's refusal to provide UNMEE with the size, strength, and disposition of its police and militia inside the Zone. Finally, the letter highlighted Eritrea's failure to sign the status-of-forces agreement and its unwillingness to agree to direct high-altitude flights by UNMEE between Addis Ababa and Asmara.

Militia and police in the Temporary Security Zone

8. As indicated in my last report to the Council, despite repeated requests, Eritrea has not provided UNMEE with the necessary information (strength, disposition, and structure before the outbreak of the conflict and currently) on its militia and police deployed inside the Temporary Security Zone. Eritrea has offered to provide overall numbers of militia and police against a guarantee of confidentiality. Given Ethiopia's legitimate interest in the demilitarization of the Zone, as well as the UNMEE policy of transparency, the Mission cannot provide such a guarantee. UNMEE estimates that there are 6,400 Eritrean militia and 3,000 police currently deployed inside the Zone. These figures have remained roughly constant since my last report.

9. In certain areas, militia and police checkpoints, observation posts, and other installations are located very close to the southern boundary of the Temporary Security Zone, sometimes at locations where there are no civilian inhabitants. In the period under review, UNMEE has increased the number of its observation posts on the southern boundary of the Zone. These posts extend the monitoring by UNMEE of key and sensitive areas, ensure that the separation of forces is observed, and help to build confidence between the parties.

10. However, serious mutual suspicion continues to exist. In this connection, a case arose recently in the Central Sector of the Temporary Security Zone, near its southern boundary, where UNMEE mans a checkpoint between the towns of Serha and Zalambessa. The checkpoint, which is ideally situated on a plateau between the armed forces of the two parties, commands a full view of both towns and the surrounding areas.

11. In spite of several Eritrean requests, UNMEE declined to vacate the site. Eritrea, despite repeated oral and written appeals from UNMEE, then established a small police observation post and bunker near the UNMEE checkpoint and in sight of the Ethiopian forces a kilometre or so away. In response, the Ethiopians built additional bunkers 200 metres closer to the southern boundary of the Temporary Security Zone. Following an appeal from UNMEE, the Ethiopian positions are no longer manned and, more recently, Eritrea has withdrawn its police from the observation post near the UNMEE checkpoint.

12. It should be noted that article 14, paragraph (c), of the Agreement on the Cessation of Hostilities provides for the "deployment to and continuous monitoring by military units of the peacekeeping Mission at posts in key and sensitive positions within the temporary security zone in order to monitor the implementation of the commitments made by both Parties". UNMEE has no intention of withdrawing from any sensitive location.

13. Although tensions in the area have diminished, the incident described above highlights the need for both sides to exercise restraint and to avoid actions that could be considered provocative. It should also be noted that this type of problem is an exception. Overall, cooperation and communication between UNMEE and the Eritrean police and militia at the field level has been reasonably good inside the Temporary Security Zone despite isolated incidents.

Freedom of movement of the Mission

14. UNMEE continues to enjoy good access to the positions of the redeployed Ethiopian forces in the

adjacent area south of the Temporary Security Zone. At the same time, there has been an increase in the incidence of restrictions on freedom of movement by the Eritrean authorities in the adjacent area north of the Zone. UNMEE experienced its most serious restriction on 21 November, when Eritrean military police set up two roadblocks at both ends of the main Dekemhare-Adi Keyh road, one of the major highways of the country and the Mission's main supply route for its units in Sector Centre of the Temporary Security Zone. The restriction was lifted on 23 November, following a strong protest by UNMEE. However, freedom of movement still does not exist off of the major highways in the adjacent area north of the Zone.

15. The position of the Eritrean authorities is that UNMEE has freedom of movement only in the Temporary Security Zone and the main access roads to it and not in the adjacent areas. Such restrictions by Eritrea amount to a violation of article 13 of the Agreement on Cessation of Hostilities and paragraph 2 (e) of Security Council resolution 1320 (2000), which mandates UNMEE to simultaneously monitor the positions of Eritrean forces that are to redeploy in order to remain at a distance of 25 kilometres from positions to which Ethiopian forces shall redeploy. Eritrea has hindered the ability of UNMEE to monitor the area north of the Zone where Eritrean Defence Forces are positioned, and to obtain an accurate picture of their deployment.

16. As a result of long-standing discussions with the Eritrean authorities on this subject, the latter have begun to allow UNMEE to visit locations in the adjacent area north of the Temporary Security Zone upon 24-hours' prior notification. These are areas that UNMEE had not previously been able to monitor fully. While this measure does not entirely meet UNMEE requirements for freedom of movement, it does provide a useful modus operandi for monitoring Eritrea's redeployed forces. This will allow the Mission to speak with greater authority when responding to both Ethiopian allegations and the concerns of the international community.

17. Regrettably, there has been no progress regarding the establishment of a direct high-altitude flight route for UNMEE between Asmara and Addis Ababa. Eritrea continues to maintain that UNMEE should fly the most direct route and refuses to make any other route available. The Ethiopian authorities insist, however, that UNMEE make a brief deviation from the most direct route to steer clear of anti-aircraft installations. Ethiopia has allowed UNMEE to use any other route between the two countries. In the absence of an agreed direct route, UNMEE has been forced to extend the flight route between the two capitals, resulting in additional expenses to the Mission of US$ 1,290,376 to date.

Liaison officer system

18. In the period under review, UNMEE has experienced increasing problems with Eritrean liaison officers. At the sector level, Eritrean senior liaison officers have been frequently unavailable, or unwilling or unable to organize meetings with Eritrean Defence Forces commanders. The Eritrean Commission for Cooperation with UNMEE indicated in October that it would close the three sector offices because they were "underused". Following repeated UNMEE protests, the Eritrean Commission has given assurances that the offices would not be closed and that continuing problems with the liaison officers would be remedied, so as to further facilitate the Mission's work.

Military Coordination Commission

19. After two months of extensive consultations on the venue of the next meeting of the Military Coordination Commission, agreement was reached and the ninth and tenth meetings of the Commission were held in Djibouti on 29 October, and at the Mereb River Bridge on 28 November, respectively. Major issues discussed during the meetings included restrictions imposed on freedom of movement of UNMEE personnel; closure of liaison offices by the Eritrean authorities; the need to ascertain the numbers and deployment of police and militia within the Temporary Security Zone; and the importance of the parties' refraining from patrolling close to the southern boundary, in order to avoid any incidents. Regrettably, little progress was made on all these issues. However, procedures were agreed for the collection and exchange of the mortal remains of soldiers killed during the conflict.

Deployment of the Mission

20. The military component of UNMEE is well established throughout the Temporary Security Zone and the Mission area as a whole. The posts of United Nations military observers and troops, combined with their daily patrols, ensure the monitoring of the

Temporary Security Zone and, to some extent, the areas adjacent to it, despite the restrictions imposed by the Eritrean side. During November and December, a large number of UNMEE staff officers are being rotated. In December, the French Guard and Administrative Company will be replaced by a similar contingent from Ireland. As at 6 December 2001, the total strength of the military component of UNMEE stood at 4,117 personnel from 45 countries, including 3,904 troops and 213 military observers (see annex II).

Status-of-forces agreement

21. As of this writing, the Government of Eritrea has not signed the status-of-forces agreement, despite the request by the Security Council in resolution 1320 (2000) that the status-of-forces agreement be concluded by October 2000, as well as repeated appeals by myself and the Council. In accordance with Security Council resolution 1320 (2000), the model status-of-forces agreement is therefore in effect. The Eritrean Government has not advanced any new proposals regarding the outstanding issues. It should be recalled that the Government of Ethiopia signed a status-of-forces agreement on 22 March 2001.

III. Mine action

22. Following meetings between UNMEE and the commanders of engineering units of the Ethiopian Armed Forces in Addis Ababa on 1 and 15 October, the Ethiopian Ministry of Defence handed over to the United Nations maps containing information on minefields in the Temporary Security Zone and the areas adjacent to it. The UNMEE Mine Action Coordination Centre verified this information on the ground and is generally satisfied with the accuracy of the maps provided. However, UNMEE is seeking further details from the Ethiopian authorities on the types of mines used in the Zone and the adjacent areas, as well as more specific information on minefields already cleared by the Ethiopian Armed Forces.

23. However, landmines and unexploded ordnance remain a major threat to the population and the United Nations personnel operating on the ground. From September to November 2001, 5 civilians were killed and 25 others injured in incidents involving mines and unexploded ordnance in the Temporary Security Zone and the northern adjacent areas. While these figures are lower than might be expected under the circumstances, particularly in view of the large number of internally displaced persons who have returned to the Zone in recent months, they are still high.

24. On 29 September, a flail vehicle operated by the Danish Demining Group hit a mine while clearing a minefield near Shilalo in Sector West, injuring the operator. The investigation carried out by UNMEE concluded that the incident was caused by an anti-tank mine.

25. On 4 October, a vehicle carrying seven Ethiopian Armed Forces soldiers hit a mine on a road near Badme in Sector West. One Ethiopian soldier died, two were seriously injured and the remaining four sustained minor injuries. The road on which the incident occurred had been proved twice by UNMEE military demining units in preceding months. It is likely that, as a result of weather conditions, the deeply buried mine had subsequently moved towards the surface. The Mine Action Coordination Centre is contracting organizations that use mechanical equipment to clear roads at a far greater depth than is currently possible with UNMEE equipment. On 23 and 24 November, two mine incidents occurred, one on each day, on well-used roads. The investigation of incidents, which occurred north of the Temporary Security Zone in Sector West, has revealed that they were caused by recently laid mines.

26. In addition to operational demining, humanitarian mine operations in the Temporary Security Zone continued to expand during the reporting period. Training of humanitarian demining teams by the United Nations proceeded in collaboration with the Eritrean Mine Action Programme, the Eritrean National Training Centre and the non-governmental Eritrean Demining Agency, as a result of which additional mine-action teams were deployed to the Temporary Security Zone. The Mine-Action Coordination Centre also commenced training of special mine-action instructors, who will form the core of the Eritrean National Training Centre. Currently, 1,020 Eritrean personnel work in the Zone; they are organized in 18 manual clearance groups, six mechanical clearance teams, six explosive ordnance disposal and survey units, 13 mine-risk education teams, three survey and marking teams and two explosive detection dog units.

27. From 1 September to 30 November 2001, mine-clearance teams set up by the Eritrean Demining Agency, the HALO Trust, the Danish Demining Group

and the Danish Church Aid cleared 2,267,783 square metres of minefield and battlefield areas in the Zone. The ordnance disposal teams of these organizations destroyed 24 anti-tank mines, 1,066 anti-personnel mines and 890 pieces of unexploded ordnance.

28. In addition, during the reporting period, Slovak, Bangladeshi and joint Slovak-Kenyan military demining units of UNMEE complemented the humanitarian mine-action efforts by continuing to prove routes and clear key operational sites in Sectors West, Centre and East. From 1 September to 30 November, UNMEE military demining units cleared 169 kilometres of road and 283,530 square metres of operational sites. UNMEE contingent ordnance disposal teams also destroyed 94 pieces of unexploded ordnance.

29. In close cooperation with the United Nations Children's Fund (UNICEF), as well as national and international non-governmental organizations, UNMEE continued mine-risk education programmes for the local population of the Temporary Security Zone and the areas adjacent to it. In all, some 29,090 persons have thus far attended such sessions. Training of volunteer facilitators who will conduct mine-risk education in their local communities has also commenced. In addition, 15 personnel from national and international non-governmental organizations have been trained as mine-risk education facilitators.

30. The UNMEE budget continues to provide for the core staff and equipment of the Mine-Action Coordination Centre to enable it to carry out its coordination, technical advice and information management roles. The Mine Action Service of the Department of Peacekeeping Operations of the Secretariat and the United Nations Development Programme (UNDP) have developed a strategy document on United Nations mine-action assistance in Eritrea, which was presented to a donors' meeting held in New York on 19 November. The strategy document outlines goals, programmes and funding requirements for United Nations assistance during the emergency phase, as well as United Nations support for strengthening national capacity to mitigate the long-term effects of landmines.

IV. Boundary Commission

31. Since my last report, the work of the Boundary Commission has generally been proceeding in accordance with the programme that the Commission adopted soon after its establishment. Information on the recent activities of the Commission, provided by its President, is contained in annex I to the present report.

32. As members of the Security Council are aware, the activities of the Boundary Commission continue to be financed from the United Nations Trust Fund for the Delimitation and Demarcation of the Border, established pursuant to Security Council resolution 1177 (1998), and from the disbursements received from the parties. Thus far, each of the parties has made two contributions of US$ 250,000 towards the expenses of the Commission. Voluntary contributions to the Trust Fund, received from various Member States, currently total nearly US$ 5.4 million, with expenditures authorized in the amount of $1.8 million. I would like to express my appreciation to those Member States which have generously heeded my appeal to contribute to the Fund. At the same time, it is clear that additional, larger financial resources will be required for the demarcation of the border, once the Boundary Commission makes its determination on delimitation.

33. It is expected that the demarcation process will be a rather complex, large and costly enterprise. For example, parts of the border region involved in the dispute are still heavily mined. As a consequence, the erection of boundary markers will require extensive mine clearance in many locations. While UNMEE may be able, within its mandated parameters, to provide some assistance in this exercise, it will most likely require resources above and beyond its current capabilities. In due course, I intend to present to the Council recommendations about the possible additional role to be played by the United Nations in this regard. However, even at this stage, I invite Member States to consider ways and means in which they could provide direct assistance in this and other vital activities linked to the demarcation process.

34. In the meantime, I commend the parties for the cooperation they have so far extended to the Boundary Commission, which, I trust, confirms their commitment to the process of delimiting and demarcating the border. With the decision on delimitation fast approaching, the international community expects Ethiopia and Eritrea to be guided by the same spirit of

cooperation in accepting an award of the Boundary Commission, which will be final and binding, as called for in the Algiers Peace Agreement of December 2000. In this connection, I very much hope that the parties, with the support and encouragement of all Member States concerned, including the guarantors of the Agreements, will do their utmost to create a climate conducive to the prompt implementation of the decision of the Boundary Commission.

V. Humanitarian developments

35. The humanitarian situation throughout the Temporary Security Zone and adjacent areas in Eritrea and Ethiopia remains stable, and many of the internally displaced persons and refugees who have returned are rebuilding their lives.

36. The Eritrean Relief and Refugee Commission now estimates that there are 55,000 internally displaced persons (down from 70,000 at the time of my last report) remaining in nine camps. Factors that dissuade them from returning home include the threat of landmines, proximity of the southern boundary of the Temporary Security Zone or, in some cases, location of their villages in Ethiopian-administered areas. Included in the 55,000 figure are more than 9,300 persons who live outside camps, awaiting the restoration of social services and the completion of demining activities in their areas of origin. Internally displaced persons continue to return to their homes, either spontaneously or in organized groups, as the villages become more accessible.

37. The voluntary repatriation of Eritrean refugees from the Sudan, which had to be suspended owing to heavy rains, resumed on 20 October. As of the end of November, over 26,700 refugees (up from about 21,000 at the time of my last report) have been assisted by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Government of Eritrea to return. Reintegration activities are continuing in the essential sectors of water and sanitation, health, education and community services. The major focus of UNHCR throughout this reporting period has been on building linkages between its initial reintegration assistance and the country's medium to long-term development programmes.

38. While the rains in Eritrea were better this year, they began somewhat late, and agricultural output is again projected to be below national requirements. Under the 2002 consolidated appeal process, the World Food Programme will be appealing for food aid to support relief activities as well as demobilization, food-for-work, school feeding and repatriation programmes. The emphasis will be on a shift from general food aid distribution to targeted programmes. The Food and Agriculture Organization of the United Nations, with funds from Sweden, has recently initiated a programme to boost potato production, as well as to assist in the rehabilitation of war-damaged veterinary centres. Similar initiatives are soon to commence with assistance from the Governments of the Netherlands and the United States of America.

39. Shelter reconstruction works are going on throughout the Temporary Security Zone. In addition to the rehabilitation of housing units carried out by the internally displaced persons themselves, UNDP, with funds provided by the Government of the Netherlands and an in-kind contribution from Norwegian Church Aid, completed a rehabilitation programme for 2,650 houses; rehabilitation of an additional 2,400 houses is under way.

40. Water supply and sanitation remain a problem in many areas of the Temporary Security Zone. However, with non-governmental organizations, UNICEF and UNMEE working on water programmes in areas affected by drought and war, some headway has been made in repairing old systems and providing new ones. Projects range from minor repairs to the complete rebuilding of water systems, such as the one in Om Hajer, which is assisted by UNICEF and UNMEE, as well as the Harsile wells in the South Red Sea zone, where UNDP is planning a major reconstruction programme.

41. The health sector is a major area of concern. The United Nations Population Fund (UNFPA), the World Health Organization and UNICEF, along with a number of non-governmental organizations, are also active in the health sector but, as with the water sector, the needs are immense and will require significantly more development funds. UNFPA, with support from the Government of the Netherlands, is undertaking the repair of a number of health facilities in the Temporary Security Zone, as well as providing emergency supplies and equipment to meet the reproductive health needs of women, men and adolescents affected by the conflict. Approximately US$ 150,000 of UNMEE quick-impact project funds has thus far been allocated for health-

related programmes in Ethiopia and Eritrea. The Indian Battalion has also undertaken a health outreach programme in Sector Centre, which provides health services to a number of communities in both Ethiopia and Eritrea.

42. Another major area of concern is education. As many schools were damaged during the war, additional funds for reconstruction are still needed. UNICEF is very active in the education field, where it is currently rehabilitating 19 schools.

Consolidated appeal process

43. The United Nations Office for Coordination of Humanitarian Affairs continues to provide support to humanitarian coordination in the country. As of 16 November, donor response to the 2001 consolidated appeal for Eritrea stands at 54 per cent of the total revised requirement of US$ 133,195,034. The current overall pledge rate for non-food projects (44 per cent) remains low in comparison to that for food-related interventions (59 per cent). On 27 November, the Government of Eritrea and the United Nations agencies issued a second consolidated appeal for Eritrea, covering needs in 2002, in which additional emphasis is placed on the non-food sector which is necessary to sustain the return and reintegration of internally displaced persons, refugees, demobilized soldiers and other vulnerable groups. As the peace process continues to hold, the emphasis in humanitarian activities coordinated by the Office is shifting from relief to rehabilitation and reintegration programmes. Through the 2002 appeal for Eritrea, the humanitarian community is requesting US$ 120,463,547, in order to target about 1.363 million persons affected either by war, drought, or both. I encourage the international community to respond generously to this important appeal.

Quick-impact projects

44. As at 30 November, 62 UNMEE quick-impact projects have been approved, in the areas of water and sanitation, health and education, and have already made a real difference for populations in dire need. Implementing partners for these projects include local and international non-governmental organizations, local administrations, United Nations agencies and UNMEE itself.

45. It should be recalled that the initial budget of UNMEE included US$ 700,000 earmarked for quick-impact projects. These funds are now almost exhausted, and a special Trust Fund to Support the Peace Process in Ethiopia and Eritrea was established in July 2001 to enable UNMEE to continue to support small projects and confidence-building interventions in the Temporary Security Zone and the adjacent areas of Ethiopia and Eritrea. In this connection, I would like to express my appreciation to the Government of Norway, which recently contributed approximately US$ 250,000 to the new Trust Fund. At the same time, I call upon other donors to make additional contributions to the Fund, the activities of which are so essential for the normalization of the situation in the affected areas.

Release and repatriation of prisoners of war

46. Eritrea released and repatriated 24 Ethiopian prisoners of war on 10 October, under the auspices of the International Committee of the Red Cross (ICRC). On 3 November, Ethiopia released and repatriated 23 Eritrean prisoners of war, also under the auspices of ICRC. Both repatriations were carried out on health grounds. At meetings with the Foreign Ministers of both Governments, UNMEE yet again urged that all prisoners of war now be released. Since December 2000, a total of 879 Eritrean and 653 Ethiopian prisoners of war have been repatriated under ICRC auspices. ICRC regularly visits approximately 1,800 prisoners of war in Ethiopia and 375 in Eritrea. In accordance with international humanitarian law and the Algiers Peace Agreement of 12 December 2000, both parties must release prisoners of war unconditionally and without delay.

VI. Human rights

47. During the reporting period, ICRC assisted the repatriation of 1,324 persons of Ethiopian descent from Eritrea. Those repatriated included individuals and families whose willingness to leave for Ethiopia was ascertained by ICRC during private interviews. At the same time, since December 2000, a total of 21,255 such persons have been repatriated to Ethiopia.

48. UNMEE interviewed four groups of persons repatriated to Ethiopia during the reporting period, in order to monitor their treatment. Human rights concerns that emerged as a result of these interviews included repeated claims that persons arrested were

sometimes held, albeit for short periods, in irregular detention centres; that persons with valid residence permits were arrested and repatriated against their will; and that persons arrested by the police were subjected to ill-treatment during arrest or detention. A few individuals had been detained since the beginning of the conflict, reportedly on national security grounds. In addition, concern emerged that former merchants, whose businesses had been closed by authorities for more than a year, were obliged to pay very large amounts in "taxes" in order to obtain exit visas. Family members who were unable to pay the "clearance fees" were obliged to remain in Eritrea, adding to the many existing cases of family separations. All persons interviewed claimed that they continued to face discrimination with regard to access to social services and were unable to find employment in Eritrea.

49. Following the forced repatriation of persons of Eritrean descent by Ethiopia in June of this year, no further such repatriations have been reported. ICRC assisted the voluntary repatriation from Ethiopia of a group of 312 persons of Eritrean descent on 17 November. In interviewing the group regarding the circumstances of their relocation, UNMEE found that most of the persons were former residents of Addis Ababa, who were joining relatives who had already been repatriated. As with persons of Ethiopian origin who choose to leave Eritrea, the main reason given for deciding to leave Ethiopia was the discrimination faced by persons of Eritrean origin, who are generally unable to find work and have limited access to public services.

50. By separate letters and meetings, UNMEE communicated its findings and human rights concerns to the Governments of Ethiopia and Eritrea, urging compliance with international standards of human rights and humanitarian law, and calling both parties' attention to their commitment to treat each other's nationals humanely under the Algiers Peace Agreement of 12 December 2000. Officials of both Governments indicated their willingness to consider proposals that would lead to improvement in the treatment of each other's nationals and to the eventual reunification of families split up as a result of the repatriations.

51. At the same time, UNMEE continued to carry out human rights monitoring activities within the Temporary Security Zone and the areas adjacent to it, and investigated some allegations of abductions by militia, police or military personnel. Those detained often stated that they were questioned about the activities of security personnel and troop movements in the area, and that they were also often ill-treated. Where allegations were confirmed, they were followed up with the relevant authorities.

52. It is obvious that the interest of the peace process is best served by the willingness of both countries to allow long-standing residents to remain in the countries which have become their homes. I encourage both of them to accelerate efforts aimed at ending the suffering and emotional hardship caused by these repatriations. I am hopeful that both Ethiopia and Eritrea will take concrete steps to improve the situation of each other's nationals within their respective territories.

53. From 1 to 5 October, UNMEE, in collaboration with UNICEF, carried out a "train-the-trainers" course on human rights, child protection and peacekeeping for 53 participants, which included representatives from the Mission's main military contingents. The training topics included basic policies on children in armed conflict, an overview of relevant international human rights standards and rules of conduct for peacekeepers.

VII. Public information

54. UNMEE continues to conduct regular press briefings in the capitals of both countries, arranges interviews and facilitates access to the Temporary Security Zone for members of the media. The Mission explains its mandate, reports on the peace process and addresses the most pressing concerns of internally displaced persons, with particular focus on mine awareness.

55. Radio UNMEE has yet to gain access to Ethiopian radio, and its weekly transmissions on Radio Eritrea were suspended by the Eritrean authorities on 24 October 2001. This action followed discussions in September between UNMEE and officials from the Ministry of Information regarding the latter's request for financial assistance from UNMEE for wear and tear on their equipment, supposedly caused in part by the transmission of UNMEE broadcasts. The question of such financial assistance remains under discussion.

56. It is hoped that agreement will soon be reached for the reinstatement of Radio UNMEE programmes on Eritrean airwaves and for free access by UNMEE transmissions to Ethiopian radio. In the meantime, Radio UNMEE programmes continue to be posted by the Department of Public Information on the United

Nations and other web sites in English and six local languages (Amharic, Arabic, Oromo, Tigre, Ethiopia-Tigrinya and Eritrea-Tigrinya). The importance of radio for directly reaching the largest number of citizens with information about the peace process in both countries cannot be overstated. In addition to the impact of restrictions imposed by Eritrean authorities on the independent press, the suspension of Radio UNMEE programmes in Eritrea and the lack of access by UNMEE transmissions to Ethiopian radio have compounded the difficulties faced by UNMEE in getting its message to the public.

VIII. Confidence-building measures

57. UNMEE efforts to facilitate confidence-building measures aimed at improving relations between Ethiopia and Eritrea have continued. In the light of Security Council resolution 1369 (2001) of 14 September, in which the Council expressly encouraged UNMEE to promote such measures, the Mission is exploring all possible avenues in this area. In this regard, UNMEE is taking opportunities to encourage direct interaction between the peoples of both countries, such as the participation by members of the national media from both Ethiopia and Eritrea in the UNMEE celebrations held at the Mereb River Bridge to mark United Nations Day 2001, in which Eritrean children and religious leaders participated.

58. However, the welcome initiative of the Norwegian Church Aid to bring together Ethiopian and Eritrean religious leaders (see para. 51 of my report to the Security Council, dated 19 June 2001 (S/2001/608)) has not made much headway. My Special Representative has maintained contact with the religious leaders of both sides and has encouraged them to turn the generally agreed plans for a joint meeting into reality. To this end, on 16 and 18 October, respectively, he held meetings with the Patriarch of the Ethiopian Orthodox Church and other Ethiopian religious leaders, and with the Patriarch of the Eritrean Orthodox Tewahdo Church and other Eritrean religious leaders, all of whom reaffirmed their commitment to bringing their plans to early fruition.

IX. HIV/AIDS awareness and training

59. The HIV/AIDS Task Force established in UNMEE continued to pursue its special HIV/AIDS programme, and training of the Kenyan, Jordanian, Indian and Bangladeshi military contingents has been ongoing. From 15 to 26 October, the Mission, together with the Joint United Nations Programme on HIV/AIDS (UNAIDS) in Ethiopia, organized the first joint UNMEE-Ethiopian Armed Forces HIV/AIDS "train-the-trainers" course. Its 28 participants included 24 representatives from the Ethiopian Armed Forces, as well as representatives from the Organization of African Unity (OAU) and the International Organization for Migration. The course, which was also aimed at preparing trainers for the Ethiopian Armed Forces, was well received. During the second half of November, UNMEE and UNAIDS in Eritrea also carried out two half-day training sessions on HIV/AIDS awareness and prevention for staff officers and civilian staff at UNMEE headquarters in Asmara. The Mission also participated in activities to mark World AIDS Day 2001 on 1 December.

X. Financial aspects

60. The General Assembly, by its resolution 55/252 B of 14 June 2001, authorized me to enter into initial commitments for UNMEE in the amount of $90 million covering the period from 1 July to 31 December 2001. My proposed budget for the Mission for the 2001/02 financial period, amounting to $208.9 million, has already been reviewed by the Advisory Committee on Administrative and Budgetary Questions. I expect the General Assembly to take action on the financing of UNMEE during its current session. As at 31 October 2001, unpaid assessed contributions to the UNMEE special account amounted to $128.4 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $2,611.5 million.

XI. Observations

61. The Security Council, in its resolution 1369 (2001) of 14 September 2001, decided to extend the mandate of UNMEE for another six months until 15 March 2002, and reiterated in strong terms its position on a number of cardinal issues related to the peace process. This position has since been repeated in

several statements to the press. However, many of the Council's appeals to the parties remain unimplemented.

62. The private meetings held separately by the Security Council with the Foreign Ministers of Ethiopia and Eritrea on 16 November provided an excellent opportunity for the members of the Council to express to the parties directly their views on and concerns about the peace process. I also took advantage of the two Ministers' presence in New York to encourage their Governments to cooperate closely with my Special Representative and to urgently resolve all outstanding issues. I take this opportunity to express my appreciation to the Secretary-General of OAU for his recent visit to Eritrea, where he carried out high-level discussions in support of the peace process, and for the valuable contribution of OAU to the work of the Military Coordination Commission.

63. The situation in the Temporary Security Zone remains calm. While the parties still have reservations regarding the boundaries of the Zone, they actually respect it on the ground. In the meantime, UNMEE patrols and observes effectively throughout the Zone, contributing an important element of stability to the situation. The great majority of internally displaced persons have returned or are returning home and the first post-conflict harvests have been reaped. Working together with the Mine Action Coordination Centre, Ethiopia has recently provided more mine information, a development that will assist demining efforts, thereby facilitating the return of the internally displaced persons who have thus far been unable to return because of landmines.

64. However, I regret to report that, during the past few months, tensions have risen considerably in the mission area, with each of the two parties accusing the other of building up militarily. Moreover, both parties have also accused UNMEE, without foundation, of pursuing a policy of "appeasement" and negligence vis-à-vis violations. While Eritrea's lack of cooperation in providing UNMEE with information on its militia and police and in allowing unrestricted freedom of movement in the areas adjacent to the Temporary Security Zone is regrettable, it is important to stress that the Mission, on the best information available, has found no evidence of any significant Eritrean military build-up.

65. It should also be stressed with all clarity that UNMEE must be able to move freely in the adjacent areas north of the Temporary Security Zone, in accordance with article 13 of the Agreement on Cessation of Hostilities, in order to investigate allegations and allay suspicions such as those which surfaced recently. For the same reasons, it is critical that Eritrea disclose the number, strength and main disposition of its militia and police inside the Zone, and that it refrains from deploying police and militia units close to the southern boundary of the Zone, which can only increase tensions. Eritrea's position that it will provide information on militia and police on the condition of confidentiality cannot be reconciled with the requirement for transparency, which is essential for building confidence between the parties.

66. It is precisely the absence of such mutual confidence that leaves the relationship between the two countries in a potentially volatile situation. When each suspects the worst of the other, relatively small incidents can quickly lead to an otherwise avoidable escalation. I once again appeal to Eritrea to cooperate fully with UNMEE, including by granting it freedom of movement in the adjacent areas north of the Temporary Security Zone, so that Ethiopia and, indeed, the Security Council can be reassured that Eritrea has no intentions other than implementing in full their obligations under the peace process. At the same time, I urge both parties to exercise restraint, as the recent public allegations of major military preparations, and further escalation of rhetoric that accompanied them, do not help the cause of peace.

67. While the recent release of ailing prisoners of war by both Governments is commendable, Ethiopia and Eritrea should be reminded that under the Algiers Peace Agreement and international humanitarian law they are obliged to release all remaining prisoners of war without delay.

68. As a matter of urgency, the parties should also facilitate the establishment of the most practicable direct air corridor between Addis Ababa and Asmara; and Eritrea is still expected to conclude the status-of-forces agreement with the United Nations without further delay.

69. Efforts must now be directed at creating the right climate for the forthcoming decision on delimitation of the Boundary Commission. As that time approaches, it will be vital for the parties, with the active encouragement of the Security Council and the guarantors of the Algiers Agreements, to ensure the

consolidation of peace between the two countries. In this context, I also appeal to the Member States concerned to continue to provide assistance to both Ethiopia and Eritrea to overcome their humanitarian difficulties and embark on the road of reconstruction and development.

70. In conclusion, I wish to express my appreciation to my Special Representative, Legwaila Joseph Legwaila, and to all military and civilian personnel of UNMEE, as well as humanitarian workers and representatives of non-governmental organizations operating on the ground, for their tireless efforts to promote peace between Ethiopia and Eritrea. I would also like to express my gratitude for the invaluable support UNMEE has received from OAU and the Member States assisting in this process.

Annex I

Eritrea/Ethiopia Boundary Commission

Third report on the work of the Commission

1. This is the third report of the Eritrea/Ethiopia Boundary Commission. It covers the period from 1 September to 30 November 2001.

2. The work of the Commission continues to proceed in accordance with the programme adopted soon after its establishment. The parties, having exchanged Memorials on 30 June 2001, proceeded to an exchange of counter-memorials on 30 September 2001 and an exchange of Replies on 29 October 2001. These written pleadings are impressive both for their comprehensiveness and the speed with which they have been prepared, thus demonstrating the clear and continuing commitment of both parties to the implementation of their agreement that the boundary dispute should be peacefully resolved as quickly as possible.

3. The written phase of the pleadings was closed upon the filing of the Replies. A pre-hearing consultation was held with the parties on 6 November 2001 at the premises of the Permanent Court of Arbitration in The Hague, at which procedural details relating to the hearings were settled. The hearings will be held at The Hague between 10 and 21 December 2001. The Commission will make every effort to produce its decision on the delimitation phase by the end of February 2002.

4. Unfortunately, the plans for three members of the Commission to visit the border region in October 2001 had to be cancelled. The schedule of the Commission will not now permit it to view the area before it produces the delimitation decision. The parties have accepted the Commission's decision to cancel the visit. Fortunately, however, the thoroughness with which the parties have in the meantime completed their written pleadings has reduced the need for the visit.

5. It will be necessary to mark the delimitation line on a large-scale map. A satellite image map on a scale of 1:50,000, which is currently being prepared by the United Nations Cartographer, will be used for this purpose. Once the delimitation line is known, it will be necessary, before demarcation can begin, to agree on the overflight arrangements with the parties for the preparation of an aerial photo map on a scale of 1:25,000, covering a 10-kilometre-wide track along the delimited boundary. This map, the preparation of which will be heavily dependent on there being suitable climatic conditions for aerial photography at the appropriate time, will be used to record, as the demarcation proceeds, the definitive line of the boundary, including the location of boundary pillars. The exact position of the pillars will be confirmed subsequently by a final "as-built" survey, using a global positioning system to establish conclusively and finally the coordinates of the pillars. These may differ, but only very slightly, from the coordinates extracted from the aerial photo maps. The Commission takes this opportunity to acknowledge the very helpful work being done by the Secretary of the Commission (the United Nations Cartographer) and his staff in this connection.

6. The Commission has authorized the Secretary to set up Field Offices in Addis Ababa and Asmara. These are necessary in connection with the preparation of the aerial survey and other preparations for the demarcation phase. The parties have agreed to the establishment of those offices.

7. The Commission has been advised that the demarcation stage of settling the boundary could take a long time. Demarcation is a physical process that must necessarily take place on the ground. The whole of the border region involved in the dispute has been heavily land-mined, to an extent that will prevent demarcation until the mines have been cleared, even if only in the prospective localities of the boundary markers. Although general consideration is being given to demining in relation to the demarcation process, detailed plans cannot be made until the delimitation phase has been completed and the line of the boundary is known. Even so, it is already clear that the whole demining process will be of considerable complexity.

8. Although the mandate of the Commission, as laid down in article 4, paragraph 2, of the Agreement of 12 December 2000 between the parties, includes demarcation as well as delimitation, the precise

allocation of on-the-ground responsibility for organizing the demining process as between the Commission and UNMEE requires clarification, a matter that the Security Council will no doubt wish to consider. It should be borne in mind that, regardless of who is responsible for carrying out the process, it will be very costly and will necessitate major increases in the United Nations Trust Fund for the Delimitation and Demarcation of the Border established in accordance with Security Council resolution 1177 (1998). The Commission believes that the demining, which is an essential preliminary to demarcation, would be best carried out by, or under the management of, UNMEE on the basis of the delimitation decision of the Commission and in consultation with the Commission; and that only when a given stretch of the border as delimited, or access to the prospective locations of individual boundary pillars is declared mine-free, should the actual demarcation proceed.

(*Signed*) Sir Elihu **Lauterpacht**
President of the Commission

22 November 2001

Annex II

United Nations Mission in Ethiopia and Eritrea: contributions as of 6 December 2001

	Military observers	*Staff officers*	*NSE*[a]	*Troops*	*Total*
Algeria	8	2	-		10
Australia	3		-		3
Austria		2			2
Bangladesh	7	6		159	172
Benin	5	3			8
Bosnia and Herzegovina	9				9
Bulgaria	5	2			6
Canada	6				6
China	5				5
Croatia	5				5
Czech Republic	2				2
Denmark	4	2			6
Finland	7	2			9
France	2	1		194	197
Gambia	4	2			6
Ghana	11	2			13
Greece	2				2
India	4	18		1 340	1 362
Ireland		13	17	209	229
Italy	5	7	139		151
Jordan	6	16	942		964
Kenya	9	3	599		611
Malaysia	7	5			12
Namibia	3	2			5
Nepal	4				4
Netherlands	-	2			2
Nigeria	4	4			8
Norway	5				5
Paraguay	2				2
Peru	2				2
Poland	6				6
Romania	8				8
Russian Federation	6				6
Singapore	2				2
Slovakia	7	2	201		210

	Military observers	*Staff officers*	*NSE*[•]	*Troops*	*Total*
South Africa	5	2			7
Spain	3	3			6
Sweden	7		-		7
Switzerland	4				4
Tunisia	3	3			6
Ukraine	5				5
United Republic of Tanzania	8	3			11
United States of America	6	1			7
Uruguay	6				6
Zambia	10	4			14
Total	**213**	**121**	**10**	**3 783**	**4 127**

• National support element.